

United States
District of Massachusetts

US
v.
Dean Tran

Docket 14-

Affidavit of
Dean Tran

I, Dean Tran of Fitchburg, do hereby declare and depose
as follows:

- 1) I Am Dean Tran of Fitchburg. I currently have a merits appeal pending before the First Circuit, in my 2023 case and am facing a 2024 indictment for obstruction. I am currently scheduled for Trial at the end of July.
- 2) I am currently confined at FMC Devers. At Devers, I am in the SHU, despite my original assignment to the low security camp at Devers.
- 3) On weekends lockdown, 24/7, in a room 9 x 6, east Block.
- 4) On week days, if nice weather, allowed 1 hour of rec in 18x14 chicken cage.
- 5) My mental health is deteriorating. I cannot focus. Cannot concentrate. Can't think. Haven't been able to eat or sleep well. Lost weight. Asked for access to ~~psychiatrist~~ but that is not presently allowed.
Psychologist

first week, SLBS.

①

- 6) Sent a message to medical to tell them I've been dizzy, lightheaded & fainted a few times. That was 4 weeks ago & there has been no response. In the same period I ~~also~~ sent a message to the Dietician, informing them of request for medical & requested prepare food w/ sugar content. No response.
- 7) Right now described as Mental #1 & Medical #2, both requiring attention. No attention received.
- 8) The conditions are not sufficient for human life. The Tap water available leaves a white, solid white, residue. The food portions are insufficient, all prisoners near me, myself included are ~~in~~ insufficient. Prisoners must ration their small portions to not starve, but if caught, the food is taken away.
- 9) The Commissary has no food available for purchase.
- 10) Oral hygiene is poor. No floss available. I think I have a cracked tooth. I asked to see dental. That is apparently not allowed in the SHU.
- 11) Law Library is a computer in a cell. No paper, No pen. No internet access. No research. No emails. The only available material is an old 2010 Lexis Nexis CD. Cannot take notes, or assist my defense. ~~That is~~

12) Access to law library is permissive & not guaranteed. It depends on the CO.

13) My assignment to the Camp has been revoked

14) I believe that I am the longest current resident of SHU

15) I am on some kind of list for "redesignation" but the counselor I spoke to today indicated I am not in the system for redesignation. I am, literally, lost in the system & bureaucracy at the Prison.

16) I sleep on a plastic piece, without foam. I have no mattress. I am ~~rest~~ sleeping on a metal bunk.

17) We rotate cells every 20 days. This is my 6th cell.

18) ~~I have not~~ 17A) Despite Prison Policy, not allowed access to Barber or tools for haircut. No trim in 64 days

18) ~~I~~ I have been threatened by a CO that if I keep asking about my status, he would have the Counselor keep me in the SHU longer.

19) I have been the subject of specific & determined racial ~~harrasment~~ harassment by a CO. A large number of Asian stereotypes, such as referring to me as Teacher Tran, or requests for Karate lesson. References to being "Chung Chung chung"

19) (cont) the CO has advised other prisoners to speak Chinese, to me.

20) ~~According to~~ Mail getting to me is not reliable.
A letter from my wife took ~~more~~ more than 2 weeks to get to me.

21) Every week I only get 4 pages of paper and ~~one~~ a parcel.
You cannot ask for, or get, additional paper or envelopes.
If the short parcel breaks, there is no replacement of it.

22) I believe my legal mail is being ~~read~~ read by the Prison. A fellow prisoner signed a form, and thereafter he seals his legal mail envelope, for sealed Prison.
I have been instructed to write "legal" on the envelope, but not seal it. I think all my outgoing mail, to both Attorney & wife is being read.

23) I am only allowed to receive 10 pages of mail per day.

24) All of my mail is copied, the Prison apparently retains the originals. The policy purports to treat legal mail differently, but does not keep it confidential.

25) There is no meaningful access to a computer, so my attorney can't give me discovery material.

26) I am only allowed one visit per week, Tuesday Morning. I must choose between seeing family & seeing Atty.

27) Family visits are supposed to be 90 minutes but mine are always cut short & have never been that long.

28) Because my visits are limited, I have been unable to see the Atty handling my present State case in Worcester Superior.

~~29) ~~What~~~~

29) I am in the SHU, which is supposed to be reserved for disciplinary Segregations. I have no write-ups or disciplinary record to date.

30) My current confinement conditions are at odds with my Designation from the DSCC (Designation & Security Classification Center) from Grand Prairie, Texas.

31) In these conditions I cannot mount a Defense to the charges against me. My health is deteriorating, not only Physically.

32) ~~By~~ I find difficulty in writing even a short letter. I am in a haze and often can't think straight.

Sworn to under the penalties of Perjury on
this 22nd of May, 2025,

James L. Tran
Dean Tran

Been counting day on
the wall, I am informed
of the date by my
Atty.